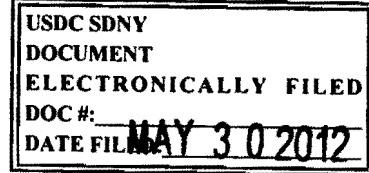


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



BL RESTAURANT OPERATIONS, LLC

Plaintiff,
v.

701 AMERICA, INC. (f/k/a BAR LOUIE
AMERICA, INC.), et al.,

Defendants.

701 AMERICA, INC. (f/k/a BAR LOUIE
AMERICA, INC.), et al.,

Counterclaimants,
v.

BL RESTAURANT OPERATIONS, LLC,
AND BL RESTAURANTS HOLDING, LLC,

Counterdefendants.

AGREED ORDER

This cause coming before the Court by agreement of the parties, due notice having been given and the Court being fully advised, IT IS HEREBY ORDERED:

1. Pursuant to settlement, this matter is hereby dismissed in its entirety, including all claims, counterclaims and affirmative defenses, with each side to bear its own fees and costs.
2. Plaintiff's claims are hereby dismissed with prejudice, except that the following claims asserted in the First Amended Complaint are dismissed without prejudice, per the parties' settlement agreement:
 - a. The LaKisha Drakes EEOC claim, Pennsylvania EEOC claim no. 533-2010-01270, described and set forth at Paragraphs 87 – 97 of the First Amended Complaint;

- b. The second LaKisha Drakes EEOC claim, Pennsylvania EEOC claim no. 533-2010-01268, described and set forth at described and set forth at Paragraphs 98 – 103, and 112 – 116 of the First Amended Complaint;
 - c. The Nunez putative class action claim, Superior Court of California case no. BC437844, described and set forth at Paragraphs 104 – 108, and 112 – 116 of the First Amended Complaint;
 - d. The Blum judgment entered against Bar Louie Champaign, IL and Bar Louie America, Inc., in Champaign County, Illinois case no. 2009-L-45, described and set forth at Paragraphs 109 – 111, and 112 – 116 of the First Amended Complaint; and
 - e. The Bryant Lawsuit claim, United States District Court Central District of California, case no. SACV 10-0906, described and set forth at Paragraphs 117 – 126 of the First Amended Complaint.
3. All of the claims asserted by Defendants/Counterclaimants are dismissed with prejudice.

It is ORDERED, this 29th day of May, 2012.

K. B. Forrest
United States District Judge Forrest

Agreed to:

May 25, 2012

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